

1/10/2018

Producers Irrigation Company desires to remove the points of diversion in the SWSW of Section 11, T08N, R33E, and SESE of Section 10, T08N, R33E. Those points of diversion are transferred to Kent and Ann Hansen as part of the water right ownership change.



Mike Overton

President, Producers Irrigation Company

Page 1. AGREEMENT FOR TRANSFER OF OWNERSHIP OF WATER RIGHTS

This agreement is made and entered into this 9 day of Jan., 2018, by and between Producers Irrigation Company, an Idaho corporation, with its principal place of business in Jefferson County Idaho, (hereafter Producers) and Kent and Ann Hansen at ~~2618~~ ²⁶²⁴ N. 800 E. Montevue, Idaho 83435. (Hereafter stockholder) _{AH} ^{K&A}

WITNESSETH:

That for and in consideration of the mutual covenants and promises herein set forth, the parties hereto agree as follows:

1. Producers is the holder of groundwater rights nos. 31-12257, 31-12255, 31-12253, and 31-10669, and is the owner of several wells and pumps and a canal delivery system, pursuant to and by means of which, water is diverted and transported to some 2169.5 acres of the lands of it shareholders for the proper irrigation thereof..
2. The stockholder is the record title holder of 320 acres of land within the above referenced 2169.5 acre service area of producers, which place of use and points of diversion are described as follows:
Stockholder (160 acres) place of use: NW qtr, Sec 23: Point of diversion: NW qtr, NW qtr, Sec. 23, Township 8 north, range 33 E.
Stockholders (160 acres) place of use: SW qtr, Sec 11, 8N, 33 E.:
Point of diversion: SE qtr, SE qtr Sec 10, Twp 8 N Range 33 E.
3. The stockholder has drilled a well on one of the above mentioned 160 acres adequate to irrigate the same 160 acres. The stockholder has diverted water from an existing well on the SW qtr, Sec 10 to the place of use: SW qtr, sec 11, providing an adequate amount of water to irrigate this 160- acre parcel. The stockholder now desires to separate the above- described 320 acres from the service area of Producers and to irrigate the same in the future exclusively from the wells on their own land.

4. Producers has already transferred the water rights into the 2 wells of the above-mentioned stockholder. Now, Producers wants to transfer ownership of the water rights to the shareholder and to sever said land from the service area of the Producers so that the future irrigation of the 320 acres of the above-mentioned stockholder will be completely independent of the operation of Producers, its water rights, wells, and canal delivery system.
5. Producers agrees to transfer ownership of 6.4 cfs of water to the stockholder, an amount sufficient to irrigate the above- mentioned stockholder's land at NW qtr, Sec. 23, 8 N, 33 E. and S.W. qtr, Sec 11, 8 N, 33 E. The remaining 2.28 cfs of the stockholders water share will be withheld by Producers to offset conveyance losses in the canal system.
6. Producers agrees to pay the diversion fees and transfer fees. The stockholder will share equally for the transfer fees.
7. The parties hereby agree to cooperate fully in the effort to transfer the ownership of the water rights described herein, and this agreement constitutes the consent of Producers said transfer.
8. Upon final approval by IDWR of the transfer, the stockholder shall surrender their certificates of stock to Producers: Producers shall cancel said certificate. Producers shall have no further obligation or legal responsibility for the delivery of water to the stockholders.
9. Should either party default on any of the covenants or agreements contained herein, such defaulting party shall pay to the other party all costs and expenses, including, yet not limited to, reasonable attorney fees on appeal, which the offended party may incur in enforcing this

WITNESS WHEREOF, the parties hereto have caused their names to be subscribed on the day and year first below written.

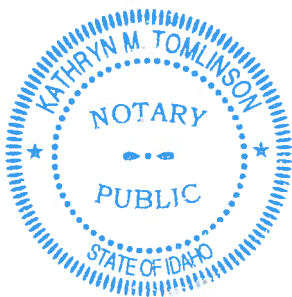


Michael D. Overton
President
Producers Irr. Co

State of Idaho
County of Jefferson

On the 9 day of Jan., 2018, before me, the undersigned, Notary Public in and for said state, personally appeared, Michael D. Overton, known or identified to me as the President of Producers Irr. Co, and the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

ON WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year this certificate first above was written.



Notary Public for Idaho

My commission expires 9-4-21

WITNESS WHEREOF, The parties hereto have caused their names to be subscribed in the day and year first above written.

Kt Hansen

Kent Hansen

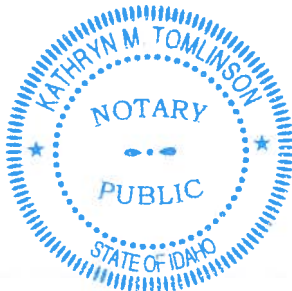
Ann Hansen

Ann Hansen

State of Idaho
County of Jefferson

On the 9 day of Jan. 2018 before me, the undersigned, a notary public in and for said state, personally appeared Kent and Ann Hansen, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in which the above certificate was first written.



Kathryn M. Tomlinson

Notary Public for Idaho
My Commission expires 9-4-21



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 23, 2018

KENT HANSEN
ANN HANSEN
26216 N 800 E
MONTEVIEW ID 83435

RE: Change of Ownership for Water Rights: 31-10669 (Split into 31-10669, 31-12421 & 31-12422), 31-12253 (Split into 31-12253, 31-12423 & 31-12424), 31-12255 (Split into 31-12255, 31-12425 & 31-12426) & 31-12257 (Split into 31-12257, 31-12427 & 31-12428)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Producers Irrigation Co
Water District 110
Jefferson Clark Ground Water District